IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O.O.C.J.

IN

SUIT NO. 3861 OF 2000

Smithkline Beecham Consumer Healthcare Ltd .....**Plffs.**
vs.
M/s. National Enterprises and anr. .....**Defnds.**

V.R. Dhond i/b. Crawford Bayley and Co. for the plffs a/w. H. Toor.

Prakash Hegde for the defendants.

CORAM: S.U. KAMDAR, J.

DATE : 30th September, 2005.

P.C. :.

1. By consent of the parties the following order is passed :

(i) The defendant shall pay to the plaintiff a sum of Rs.1 lac within a period of 3 weeks from today.

In an event of default in payment there shall be decree in favour of the plaintiffs and against the defendants for the said sum of RS.1 lac and the said sum will run interest at the rate of 18% p.a. from the date of default.

(ii) Learned cousnel for the plaintiff undertakes to this court that the proceedings which are pending u.s. 138 of the Negotiable Instrument Act before the Metropolitan Magistrate, Andheri and Metropolitan Magistrate Court at Esplanade shall be withdrawn as soon as the aforesaid amount is paid by the defendant. The suit is disposed off accordingly. Refund of court fees as per rules. In view of the dismissal of the suit, motion does not survive. Same is dismissed as infructious. The letter dated 29/9/2005 is taken on record.

sd/-

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